

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LUIS ANTONIO RIVAS,	:	
Petitioner	:	
	:	
vs.	:	CIVIL NO. 1:CV-07-0795
	:	
JOSEPH PIAZZA, et al.,	:	
Respondent	:	

O R D E R

AND NOW, this 11th day of July, 2007, upon consideration of the Report and Recommendation (doc. 8) of the Magistrate Judge, filed June 8, 2007, to which no objections have been filed, and upon independent review of the record, the Report is approved and accepted. Although some of the dates referenced in the Report are off by one or two days, these slight discrepancies do not affect the ultimate conclusion of the Magistrate Judge: that the filing was not within the applicable statute of limitations.

Pursuant to the recommendation of the Magistrate Judge, the Petitioner's § 2254 petition is dismissed as untimely filed under 28 U.S.C. § 2244(d)(1)(A).

The Clerk of Court shall close this file.

/s/William W. Caldwell
William W. Caldwell
United States District Judge